

Exhibit 67

Robert Cook, Ph.D.

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW JERSEY

IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY
LITIGATION

THIS DOCUMENT RELATES TO
ALL CASES

Case No. 16-2738
(FLW) (LHG)

MDL Docket No. 2738

Wednesday, January 30, 2019

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The video deposition of ROBERT COOK, Ph.D.,
taken pursuant to notice, was held at the
Hilton Garden Inn, 2555 Hilton Garden Drive,
Auburn, Alabama, commencing at approximately
8:56 a.m., on the above date, before Lois Anne
Robinson, Registered Diplomate Reporter,
Certified Realtime Reporter, and
Notary Public for the State of Alabama.

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<p style="text-align: right;">Page 54</p> <p>1 THE COURT REPORTER: 2 Yes, we are. 3 (DEPOSITION EXHIBIT NUMBER 6 4 WAS MARKED FOR IDENTIFICATION.) 5 MR. FROST: 6 Q I'd like to turn your attention to what 7 is on the printout -- 1, 2, 3, 4, 5, 6 -- page 7. 8 A I'm not sure that I haven't seen this 9 on the Internet. 10 Q If you look under "or beneficitation." 11 A Sure. 12 Q And do you agree with me that what's in 13 the report appears to be a quote -- 14 A Sure. 15 Q -- from this website? 16 A It'd be nice to know where they got 17 their definition. Seriously. 18 Q Okay. But do you believe that you saw 19 this website while you were drafting your report? 20 A You know, when you -- when you 21 mentioned the name, it didn't ring a bell. But I 22 believe I have seen this. 23 Q Okay. 24 A But I don't -- I don't know the</p>	<p style="text-align: right;">Page 56</p> <p>1 the things in the table I described -- you know, 2 every single reference I had described verbally. 3 And then when I saw the table that was being 4 prepared, I guess, in Hopkins, it was pretty 5 clear that, oh, my God, this is -- you know, I 6 need to do this with -- with every data set, go 7 ahead and make tables. 8 And, so, Beasley Allen folks helped 9 construct the -- I guess it was an Excel table. 10 Q These are the tables that are -- 11 A Yeah. But that's it. Everything else 12 is -- is -- 13 And if -- I'm just thinking about the 14 Zelikoff thing. I did get a -- I did get a 15 reference out of hers. But that's all I 16 remember. 17 Q Okay. And by "the tables," you're 18 referring to the various tables that appear -- 19 you know, some start on page 13. 20 A The tables have replaced very long 21 paragraphs that describe each one of these -- for 22 the most part, each one. Some of them, the ones 23 from the Hicks -- not Hicks -- the Hopkins depo, 24 some of those I didn't have until I got his depo.</p>
<p style="text-align: right;">Page 55</p> <p>1 company. 2 Q All right. Mark this as Exhibit 7, 3 please. 4 (DEPOSITION EXHIBIT NUMBER 7 5 WAS MARKED FOR IDENTIFICATION.) 6 MR. FROST: 7 Q Do you recognize this as the expert 8 report of Dr. Judith Zelikoff that you reviewed? 9 A I only have it online. 10 Q Okay. 11 A But I'm assuming it is the same. 12 Q Okay. If you could please turn to page 13 31 of your report. 14 A Of my -- 15 I'm sorry. I'm going to hers. 16 Q And I guess I'll start here. Did 17 anybody help you write your report? 18 A No. 19 Q You wrote all of it yourself? 20 A Every word. There was help with -- 21 with the tables. My report was table-less 22 initially. 23 Q Okay. 24 A And it was extremely cumbersome because</p>	<p style="text-align: right;">Page 57</p> <p>1 Q Okay. Did you put together the tables 2 or was that something that Beasley Allen -- 3 A No. They helped. 4 Q -- put together for you? 5 A They helped. 6 Q And I take it, when they sent you the 7 tables, it sounds like there were additional 8 references in there that originally you didn't 9 have or didn't review? 10 A There -- there were not. 11 Q Okay. 12 A I don't think that there were. The 13 ones that -- that were related to the Hopkins 14 exhibits, I had them, but I think I got them 15 after I had prepared my first draft, something 16 like that. And so they are -- they were new, new 17 to the second edition. 18 Q Were there any references when you 19 reviewed the tables that you hadn't seen prior to 20 the tables being generated by Beasley Allen? 21 A I don't think so. I didn't -- I -- I 22 didn't notice any. But there are like a 23 hundred-and-something references just in the 24 table that deals with asbestos.</p>

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<p style="text-align: right;">Page 58</p> <p>1 Q And, so, I compared the -- you know, 2 the report in Exhibit 1 to the report in Exhibit 3 2. It looks like a lot of the changes that were 4 made were within the tables. Does that sound 5 correct? 6 A It -- there could have been, sure. 7 Q What type of changes were made to 8 Table -- 9 Well, strike that. 10 Did -- were these changes that you made 11 or were these changes that were made by Beasley 12 Allen? 13 A I went through the table in one and 14 found a goodly number of things that I thought 15 were wrong, but they were -- some of them were 16 spellings that were related to probably 17 spellchecker, like the word "Cyprus" for Cyprus 18 Corporation was misspelled a number of times. 19 There were some incidences where I 20 questioned whether the right terminology was used 21 for mineralogy, for a mineralogical citation. 22 And, you know, we keep going back 23 through these tables, and there's -- I think 24 there may be one sample in the asbestos that may</p>	<p style="text-align: right;">Page 60</p> <p>1 A I think so. 2 Q -- report? 3 Okay. So these weren't new lists that 4 were sent to you by Beasley Allen? 5 A No. No, no. 6 Q And have you reviewed all of the 7 documents that are in each of the charts? 8 A I think I have. 9 Q And I note that your charts are -- I'm 10 not gonna say exactly the same, because, 11 actually, your amended ones change some of the 12 language, but they're materially similar to those 13 showing up in the report of Dr. Krekeler. Have 14 you had a chance to review the charts in his 15 reports? 16 A I've seen a version. I don't know 17 whether it was his latest version. And, yeah, 18 he -- he had -- I mean, that was the whole idea. 19 We've got -- now we've got charts to replace long 20 paragraphs. And, so, they should be similar. 21 Q Okay. And this was the work done by 22 Beasley Allen? 23 A In terms of -- 24 MS. O'DELL:</p>
<p style="text-align: right;">Page 59</p> <p>1 not actually be a cosmetic -- or in the talc that 2 may not be a cosmetic talc. 3 Q Okay. Do you -- do you recall which 4 one that would be or -- 5 A No. 6 Q -- do you have the ability to identify? 7 Okay. 8 A It was a -- it had a number. It was a 9 numerical sample number. 10 Q And were these changes, then, that you 11 made to the -- 12 A I don't think -- 13 Q -- charts that were prepared? 14 A I don't think -- they were intact, and 15 I didn't notice that until a day or two ago. 16 Q Okay. The other changes that were made 17 between the original report and the amended 18 report, were these changes that you made in going 19 through the original report and correcting the 20 spellings? 21 A Tried to, yes. 22 Q Okay. And are you the one who made all 23 of the changes to the reports that show up now in 24 the amended --</p>	<p style="text-align: right;">Page 61</p> <p>1 Object to the form. 2 A Right. In terms of the compilation of 3 the charts, I mean, I'm pretty sure a secretary 4 did it. 5 MR. FROST: 6 Q Okay. And then they sent it to you for 7 inclusion in the report? 8 A Yes. 9 MS. O'DELL: 10 Object to the form. 11 MR. FROST: 12 Q All right. So turning to page 31 of 13 your report. 14 A Yes. 15 Q See the paragraph at the top of 31, it 16 says -- it's starts with the "According to J&J's 17 corporate representative." 18 A Right. 19 Q Do you know where you got this 20 information from? 21 A Yes. 22 MS. O'DELL: 23 Which one are you -- 24 MR. FROST:</p>

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<p style="text-align: right;">Page 106</p> <p>1 Q Could you describe for me or can you 2 define for me what asbestiform means? 3 A We sort of talked about it in the 4 definition of asbestos. But asbestiform, again, 5 is related to a fibrous nature. And, from my 6 perspective, I've looked at a lot of asbestos in 7 rock samples. 8 Now, granted, the -- what you see in a 9 rock sample is gonna be coarse-grained asbestos. 10 And, so, if you see a little band of asbestos, 11 generally the fibers will be perpendicular to the 12 edges of that band, and if it -- if it's 13 asbestos, the chances are you can rub your 14 fingernail across it and actually dislodge -- 15 dislodge fibers. There are minerals that form 16 the same type of a band that you can't. 17 Q Uh-huh. 18 A And they will not dislodge. And 19 usually that won't be -- that won't be asbestos. 20 But the two may look asbestiform. So the real 21 question is can you have an asbestiform mineral 22 that is not asbestos? And the answer is yes. 23 Q Okay. 24 VIDEOGRAPHER:</p>	<p style="text-align: right;">Page 108</p> <p>1 Doctor? 2 THE WITNESS: 3 Yeah, I think so. 4 MR. FROST: 5 Q And with respect to the five 6 amphiboles, you'd agree with me it's the 7 asbestiform or the fibrous variant that's defined 8 as, quote, asbestos, closed quote; correct? 9 MS. O'DELL: 10 Object to the form. 11 A I'm sorry, Jack. Can you ask that -- 12 MR. FROST: 13 Sure. 14 Q And you'd agree with me, with respect 15 to the five amphiboles, it's the fibrous or 16 asbestiform version of those amphiboles that is 17 defined as, quote, asbestos, closed quote? 18 MS. O'DELL: 19 Object to the form. 20 A That is correct. But there is some -- 21 the literature is inconsistent in that regard. 22 There should -- if you've got -- if you've got 23 actinolite asbestos, it should always say 24 actinolite asbestos --</p>
<p style="text-align: right;">Page 107</p> <p>1 Can I go off the record really quickly? 2 MR. FROST: 3 Sure. 4 VIDEOGRAPHER: 5 The time is 10:42 a.m. 6 (OFF THE RECORD.) 7 VIDEOGRAPHER: 8 We're back on the record. The time is 9 10:42 a.m. 10 MR. FROST: 11 Q And, so, we're talking about the 12 definition of asbestos. Chrysotile, I believe, 13 is always asbestiform. That's the asbestiform 14 serpentine? 15 A If you -- if you actually apply a 16 minimum length to the fiber to chrysotile, then 17 it isn't always asbestiform. 18 Q Oh, okay. 19 A I mean, it can be below that 5 micron 20 and then, you know, it's out the door as 21 asbestos. 22 Q And, then, with respect -- 23 MS. O'DELL: 24 Are you finished -- were you finished,</p>	<p style="text-align: right;">Page 109</p> <p>1 MR. FROST: 2 Q Okay. 3 A -- or fibrous actinolite. There 4 should -- there should be a modifier if you're 5 going to -- to go from the mineral species by 6 itself into the realm of asbestos. 7 Q And that's sort of the question I was 8 getting to. There's a difference between -- 9 And we'll use actinolite, which you 10 just used. 11 There's actinolite, which isn't 12 necessarily asbestos, and then there's 13 asbestiform or fibrous actinolite, which is. 14 Correct? 15 A Correct. 16 Q And you can have one without the other; 17 right? 18 A Correct. 19 MS. O'DELL: 20 Object to the form. 21 MR. FROST: 22 Q And do you know what a cleavage 23 fragment is? Is that a term you're familiar 24 with?</p>

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<p style="text-align: right;">Page 246</p> <p>1 Q Okay.</p> <p>2 Great. Sorry. I've got to reorient</p> <p>3 myself where I am in your report. If you'll give</p> <p>4 me a second.</p> <p>5 A It's all right.</p> <p>6 VIDEOGRAPHER:</p> <p>7 Jack, do you have your mic on?</p> <p>8 MR. FROST:</p> <p>9 I do not.</p> <p>10 Q Page 10, we're under "Italy." So about</p> <p>11 halfway through your paragraph, you have a</p> <p>12 sentence that reads, "Chrysotile is also reported</p> <p>13 in the Val Chisone mineral suite in 1971 by</p> <p>14 Ashton."</p> <p>15 A Right.</p> <p>16 Q And you cite JNJAZ55-6103.</p> <p>17 I've got that document.</p> <p>18 A And he's got a list of minerals kind of</p> <p>19 in the middle of -- in the middle of the page</p> <p>20 there, and chrysotile, I think, is mentioned.</p> <p>21 Right.</p> <p>22 (DEPOSITION EXHIBIT NUMBER 20</p> <p>23 WAS MARKED FOR IDENTIFICATION.)</p> <p>24 MR. FROST:</p>	<p style="text-align: right;">Page 248</p> <p>1 Object to the form.</p> <p>2 MR. FROST:</p> <p>3 Q Because it continues, "And the minerals</p> <p>4 we'll show in the valley are."</p> <p>5 MS. O'DELL:</p> <p>6 Object to the form.</p> <p>7 A Well, the valley is where the mine is.</p> <p>8 MR. FROST:</p> <p>9 Q Okay. But he's not saying that he has</p> <p>10 found talc, pyrite, magnesite, calcite, dolomite,</p> <p>11 apatite, clinochlore, chrysotile, tourmaline,</p> <p>12 tremolite, actinolite, aluminite, and albite all</p> <p>13 in the Fontane mine ore; correct?</p> <p>14 MS. O'DELL:</p> <p>15 Object to the form.</p> <p>16 A Well, I'm -- I'm not sure that he even</p> <p>17 relates Fontane in that paragraph at all.</p> <p>18 MR. FROST:</p> <p>19 Q Exactly. He's just talking about the</p> <p>20 mineralization of the valley --</p> <p>21 A That's right.</p> <p>22 Q -- correct?</p> <p>23 A But Fontane's in the valley.</p> <p>24 Q Yes. But there are lots of other</p>
<p style="text-align: right;">Page 247</p> <p>1 Q Yeah, it's -- you're talking about</p> <p>2 where the -- the arrow is on the paper?</p> <p>3 A Correct.</p> <p>4 Q And you'd also agree with me that</p> <p>5 he's -- he's talking about the valley, what --</p> <p>6 mineralizations in the valley. He's not talking</p> <p>7 about the Fontane ore or mine specifically;</p> <p>8 correct?</p> <p>9 A He might have been.</p> <p>10 Q But there's no way to tell by this</p> <p>11 document; correct?</p> <p>12 MS. O'DELL:</p> <p>13 Object to the form.</p> <p>14 A Well, this is a general comment about</p> <p>15 the location.</p> <p>16 MR. FROST:</p> <p>17 Q Okay. And he's talking about, "I have</p> <p>18 checked into the mineralization of the part of</p> <p>19 the territory"; correct?</p> <p>20 MS. O'DELL:</p> <p>21 Object to the form.</p> <p>22 MR. FROST:</p> <p>23 Q He's talking about the valley?</p> <p>24 MS. O'DELL:</p>	<p style="text-align: right;">Page 249</p> <p>1 places in the valley that aren't the Fontane</p> <p>2 mass; correct?</p> <p>3 MS. O'DELL:</p> <p>4 Object to the form.</p> <p>5 A That's right. But I don't know why</p> <p>6 he'd be interested in them.</p> <p>7 MR. FROST:</p> <p>8 Q So you're telling me, by reading this,</p> <p>9 you couldn't relate to the fact that he's found</p> <p>10 all of these and they're associated with the</p> <p>11 Fontane mine because that mine is located in that</p> <p>12 valley?</p> <p>13 A I think if you read what's been</p> <p>14 published about this, what you find is that the</p> <p>15 host rocks that contain the carbonate sequence</p> <p>16 with the talc in it is rich in some of these.</p> <p>17 Q Okay. And, again, you're --</p> <p>18 A So he's probably --</p> <p>19 And I'm, once again, I'm making an</p> <p>20 assumption. I don't think he'd go out and decide</p> <p>21 that he'd go up to the rim of the valley and</p> <p>22 collect a bunch of rocks that have nothing to do</p> <p>23 with -- with J&J or who he was working for.</p> <p>24 But, you know, I think that the list of</p>

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<p style="text-align: right;">Page 506</p> <p>1 exhibit in the back.</p> <p>2 Q Okay. Let's turn to the exhibit in the</p> <p>3 back.</p> <p>4 A Yeah.</p> <p>5 Q Would you agree with me that only two</p> <p>6 of these pictures actually appear to be aerial</p> <p>7 photos of the mine?</p> <p>8 A Right. Sure.</p> <p>9 Q Okay. The rest of the one, two, three,</p> <p>10 four, five --</p> <p>11 A They illustrate exactly what I was</p> <p>12 talking about.</p> <p>13 Q Well, again, my question is only two of</p> <p>14 the photographs are aerial; correct?</p> <p>15 A Sure.</p> <p>16 Q The other five appear to be taken from</p> <p>17 the ground?</p> <p>18 MS. O'DELL:</p> <p>19 Just count them. Don't agree if you</p> <p>20 don't --</p> <p>21 A No.</p> <p>22 MR. FROST:</p> <p>23 Q Well, you can count them, but it's</p> <p>24 five.</p>	<p style="text-align: right;">Page 508</p> <p>1 C E R T I F I C A T E</p> <p>2 STATE OF ALABAMA)</p> <p>3 COUNTY OF MOBILE)</p> <p>4</p> <p>5 I do hereby certify that the above and</p> <p>6 foregoing transcript of proceedings in the matter</p> <p>7 aforementioned was taken down by me in machine</p> <p>8 shorthand, and the questions and answers thereto</p> <p>9 were reduced to writing under my personal</p> <p>10 supervision, and that the foregoing represents a</p> <p>11 true and correct transcript of the proceedings</p> <p>12 given by said witness upon said hearing.</p> <p>13 I further certify that I am neither of</p> <p>14 counsel nor of kin to the parties to the action,</p> <p>15 nor am I in anywise interested in the result of</p> <p>16 said cause.</p> <p>17 Signed this 2nd day of February, 2019.</p> <p>18</p> <p>19</p> <p>20</p> <p>21 LOIS ANNE ROBINSON, RDR</p> <p>22 COURT REPORTER, NOTARY PUBLIC</p> <p>23 STATE OF ALABAMA AT LARGE</p> <p>24 ACCR# 352; EXPIRES 9/30/19</p>
<p style="text-align: right;">Page 507</p> <p>1 A But since you've pointed out that not</p> <p>2 all of them were from the air, the last</p> <p>3 photograph was from the ground because the plane</p> <p>4 was grounded because of snow.</p> <p>5 Q Sure. There we go.</p> <p>6 All right. That's all the questions I</p> <p>7 have, sir.</p> <p>8 MS. O'DELL:</p> <p>9 I have nothing further.</p> <p>10 VIDEOGRAPHER:</p> <p>11 We're off the record. The time is</p> <p>12 7:20 p.m.</p> <p>13 (DEPOSITION EXHIBITS 34-1 TO 34-13,</p> <p>14 35, 36, 37, 38, AND 39 WERE MARKED</p> <p>15 FOR IDENTIFICATION.)</p> <p>16 (Deposition concluded at 7:20 p.m.)</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 509</p> <p>1 E R R A T A P A G E</p> <p>2</p> <p>3 I, ROBERT COOK, Ph.D., the witness</p> <p>4 herein, have read the transcript of my testimony,</p> <p>5 and the same is true and correct, to the best of my</p> <p>6 knowledge, with the exceptions of the following</p> <p>7 changes noted below, if any:</p> <p>8 Page/Line Word/Words to be changed Correct Word</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p style="text-align: right;">ROBERT COOK, Ph.D.</p>

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